

**UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF NEW HAMPSHIRE**

William J. Carey

v.

Civil No. 05-cv-293-JD

Manchester Police Department, et al.

O R D E R

Pro se plaintiff William J. Carey has filed a complaint pursuant to 42 U.S.C. § 1983, alleging claims for malicious prosecution under the Fourth and Fourteenth Amendments to the United States Constitution and claims of defamation, tortious interference with contractual relations and intentional interference with prospective contractual relations under New Hampshire law (document no. 1). Seeking monetary relief, he brings this action against the Manchester Police Department ("MPD") and MPD employees Detectives Steven Olson and Peter Bartlett and Officer Michael Boufford.

The complaint is before me for preliminary review to determine whether, among other things, it states a claim upon which relief may be granted. See 28 U.S.C. § 1915A; U.S. District Court for the District of New Hampshire Local Rule

("LR") 4.3(d)(2). For the reasons stated in the report and recommendation issued simultaneously herewith, I find that he has alleged Fourth Amendment malicious prosecution claims against Olson and Boufford. I have recommended dismissal of all remaining claims.

Accordingly, I order that the complaint be served on the defendants. The Clerk's Office is instructed to prepare the summonses for each defendant and deliver to the United States Marshal for the District of New Hampshire ("U.S. Marshal's Office") the summonses and copies of the complaint (document no. 1), the report and recommendation and this order. Upon receipt of the necessary documentation, the U.S. Marshal's Office shall effect service upon defendants. See Fed. R. Civ. P. 4(c)(2).

Defendants shall answer or otherwise plead within twenty days of acceptance of service. See Fed. R. Civ. P. 12(a)(1)(A).

Plaintiff is instructed that all future pleadings, written motions, notices, or similar papers shall be served directly on the defendants by delivering or mailing the materials to them or

their attorneys, pursuant to Fed. R. Civ. P. 5(b).

SO ORDERED.



James R. Muirhead
United States Magistrate Judge

Date: January 17, 2006

cc: William J. Carey, *pro se*